

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2004-135
Docket No. 2002-682

VERIZON MAINE
Petition for Consolidated Arbitration

June 15, 2004

VERIZON-MAINE
Proposed Schedules, Terms,
Conditions and Rates for Unbundled
Network Elements and Interconnection
(PUC 20) and Resold Services (PUC 21)

PROCEDURAL ORDER

This Procedural Order supplements the Commission's June 11, 2004 Order in Docket No. 2004-135 which consolidated these two matters and addresses the Petition for Expedited Relief made by Choice One Communications, Inc. of Maine, CTC Communications Corp., Lightship Telecom, LLC, and segTEL, Inc. (Petitioners).

I. CONSOLIDATED PROCEEDING

All filings in this consolidated proceeding should use the caption above and be made in Docket No. 2004-135. All electronic copies of documents on a going forward basis will be found in the virtual case file for 2004-135. Attached to this Procedural Order is a copy of the consolidated electronic service list for this case – please check to make sure the entries for your company are correct and advise me by **June 21, 2004**, if there are any additions or changes.

The Commission directed the parties to develop a consolidated list of issues that must be litigated and to prioritize that list, with global legal issues at the top. We suggest all parties review the virtual case file for Docket No. 2002-682 to become familiar with the issues raised in that proceeding. The deadline for developing the issues list is **July 16, 2004**, thus parties are encouraged to begin meetings/conference calls immediately. We clarify that the list of issues due on July 16th should cover issues that are generally applicable to all carriers. Individual company issues that must be arbitrated should be identified in a separate document authored by the individual CLEC and Verizon. These issues lists will be due **30 days** after the Hearing Examiner has reviewed and confirmed the list applying to all carriers.

Verizon shall take the lead in setting up the first meeting to develop the consolidated issues list. At that meeting, we request that the CLECs elect at least one spokesperson so that if conference calls with the Advisors are necessary, we can streamline the discussion. (No party will be denied an opportunity to express their views if they differ from the majority.) Failure of a party to participate and/or attend these meetings will be considered a waiver of that party's right to request litigation of matters applicable to all carriers. A member of the Commission's Advisory Staff will

attend the first meeting as an observer. Continued observation by Advisory Staff at later meetings will depend upon whether the parties and/or the Commission deems our presence helpful to the process.

II. MOTION FOR EXPEDITED RELIEF

On June 8, 2004, the Petitioners filed a Petition for Expedited Relief which requested that the Commission clarify that Verizon must continue to provide access to unbundled network elements under existing terms and conditions until modifications to individual interconnection agreements are approved by the Commission. On June 11, 2004, Verizon filed its response to the Petition. Verizon stated that it would take no action on June 16th but instead would begin looking at individual interconnection agreements and start issuing proper notice under change of law provisions. Verizon assured both the Commission and the CLECs that no disconnections would occur without at least 90 days notice.

We accept Verizon's assurances and expect that Verizon will follow the course of action it has outlined. Because there will be no disconnections for at least the next 90 days, there is no need for the Commission to address the Petition for Expedited Relief at this time. We strongly urge the parties to discuss this issue and determine whether there are any specific legal issues that the Commission must resolve before any 90-day notice periods expire to avoid the need for renewal of the Petition for Expedited Relief.

BY ORDER OF THE HEARING EXAMINER

Trina M. Bragdon